UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT
07-0016-cv

At a stated term of the United States Court of Appeals for the Second Circuit, held at the United States Courthouse, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 30th day of November, two thousand and nine.

THE PRESBYTERIAN CHURCH OF SUDAN, REV. MATTHEW MATHIANG DEANG, REV. JAMES KOUNG NINREW, NUER COMMUNITY DEVELOPMENT SERVICES IN U.S.A, FATUMA NYAWANG GARBANG, NYOT TOT RIETH, individually and on behalf of the estate of her husband JOSEPH THIET MAKUAC, STEPHEN HOTH, STEPHEN KUINA, CHIEF TUNGUAR KUEIGWONG RAT, LUKA AYUOL YOL, THOMAS MALUAL KAP, PUOK BOL MUT, CHIEF PATAI TUT, CHIEF PETER RING PATAI, CHIEF GATLUAK CHIEK JANG, YIEN NYINAR RIEK AND MORIS BOL MAJOK, on behalf of themselves and all others similarly situated,

Plaintiffs-Appellants,

-v.-

TALISMAN ENERGY, INC.,

Defendant-Appellee,

REPUBLIC OF THE SUDAN,

Defendant.

The Presbyterian Church of Sudan, Rev. Matthew Mathiang Deang, Rev. James Koung Ninrew, Nuer Community Development Services in USA, Fatuma Nyawang Garbang, Nyot Tot Rieth, individually and on behalf of the Estate of her husband Joseph Thiet Makuac, Stephen Hoth, Stephen Kuina, Chief Tunguar Kueigwong Rat, Luke Ayuol Yol, Thomas Malual Kap, Puok Bol Mut, Chief Patai Tut, Chief Peter Ring Patai, Chief Gatluak Chiek Jang, Yien Nyinar Riek and Moris Bol Majok, on behalf of themselves and all others similarly situated having filed a petition for panel rehearing, or, in the alternative, for rehearing *en banc*, and the panel that determined the appeal having considered the request for panel rehearing, and the active members of the Court having considered the request for rehearing *en banc*,

IT IS HEREBY ORDERED that the petition is DENIED.

FOR THE COURT:
Catherine O'Hagan Wolfe
Clerk of Court

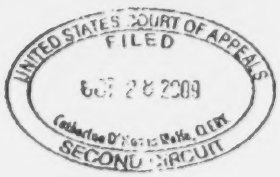
By: /s/ Frank Perez
Frank Perez, Deputy Clerk
[Entry date Nov 30 2009] [EM]

APPENDIX D

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse
at Foley Square, 40 Centre Street
New York, New York 10007
Telephone: 212-857-8500

MOTION INFORMATION STATEMENT



Presbyterian Church of Sudan, et al.,
Petitioner,
-v.-
Talisman Energy, Inc.,
Respondent.

Docket Number(s): 07-0016-cv

Motion for: Leave to file a Brief in Support of Petitioner and Rehearing En Banc

Moving Party: Proposed Amicus Curiae David J. Scheffer

☐ Plaintiff ☐ Defendant
☐ Appellant/petitioner ☐ Appellee/respondent

Moving Attorney: David J. Scheffer
[name of attorney, with firm, address, phone number and e-mail]

David J. Scheffer, Esq.
Center for International Human Rights,
Northwestern University School of Law
357 E. Chicago Avenue
Chicago, IL 60611
(312) 503-2224, d-scheffer@law.northwestern.edu

Opposing Party: Talisman Energy, Inc.

Opposing Attorney: Marc J. Gottridge, Esq.
[name of attorney, with firm, address, phone number and e-mail]
Marc J. Gottridge, Esq.
Lovells
590 Madison Avenue
New York, NY 10022
(212) 909-0660, marc.gottridge@lovells.com

Court-Judge/Agency Appealed From: Amicus supports Petition for Rehearing En Banc to review Second Circuit Panel decision

Please check appropriate boxes:

Has **consent** of opposing counsel:

A. been sought? ☐ Yes ☑ No
B. been obtained? ☐ Yes ☑ No

Is oral **argument** requested? ☐ Yes ☑ No
(requests for oral argument will not necessarily be granted?

Has **argument** date of appeal been set?
☑ Yes ☐ No

If yes, enter date 1/12/2009

For Emergency Motion, Motions for Stays and Injunctions Pending Appeal:
Has request for relief been made below:

☐ Yes ☐ No

Has this relief been previously sought in this Court:

☐ Yes ☐ No

Request return date and explanation of emergency:

Has service been effected: ☑ Yes ☐ No
[Attach proof of service]

Signature of Moving Attorney:

David J. Scheffer **Date:** 10/28/2009

ORDER

Before: Dennis Jacobs, *Chief Judge*

IT IS HEREBY ORDERED that the motion by proposed *amicus curiae* former Ambassador David J. Scheffer for leave to file a brief of 3,500 words in support of Appellants' petition for rehearing *en banc* is DENIED.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk
by /s/ Joy Fallek,
Joy Fallek, Administrative Attorney

Nov 03 2009
Date